

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES  
LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard  
L. Madoff Investment Securities LLC,

Plaintiff,

v.

AMY PINTO LOME REVOCABLE TRUST  
U/A/D 5/22/03; AMY PINTO LOME, individually  
and in her capacity as Grantor and Trustee for the  
Amy Pinto Lome Revocable Trust u/a/d 5/22/03;  
and LEONARD D. LOME, in his capacity as Trustee for the  
Amy Pinto Lome Revocable Trust u/a/d 5/22/03,

Defendants.

Adv. Pro. No. 10-04588 (SMB)

**NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER**

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 205 East 42<sup>nd</sup> Street, New York, New York 10017, shall be substituted in place of the law firm of McClay•Alton, P.L.L.P., 951 Grand Avenue, St. Paul, MN 55101 as co-counsel of record for Amy Lome Revocable Trust u/a/d 5/22/03, Amy Pinto Lome and Leonard D. Lome (the “Defendants”) in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC  
205 East 42<sup>nd</sup> Street – 20<sup>th</sup> Floor  
New York, New York 10017  
Attn: Elise S. Frejka  
Jason S. Rappaport  
Telephone: (212) 641-0800  
Email: [efrejka@frejka.com](mailto:efrejka@frejka.com)  
[jrappaport@frejka.com](mailto:jrapoport@frejka.com)

and

Marvin C. Ingber  
Attorney and Counselor at Law  
6705 Apache Road  
Edina, MN 55439-1001  
Telephone: 952-941-3646  
Email: [mcingber@comcast.net](mailto:mcingber@comcast.net)

PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and  
consent to this substitution of counsel.

Dated: St. Paul, Minnesota  
November 30, 2016

Dated: New York, New York  
December 6, 2016

McClay•Alton, P.L.L.P.

FREJKA PLLC

By: /s/ Robert M. McClay  
Robert M. McClay  
951 Grand Avenue  
St. Paul, Minnesota 55101  
Telephone: 651-290-0301  
Fax: 651-290-2502

By: /s/ Elise S. Frejka  
Elise S. Frejka  
Jason S. Rappaport  
205 East 42<sup>nd</sup> Street – 20<sup>th</sup> Floor  
New York, New York 10017  
Telephone: (212) 641-0800  
Fax: (212) 641-0200

Dated: New York, New York  
December \_\_, 2016

SO ORDERED:

HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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and LEONARD D. LOME, in his capacity as Trustee for the  
Amy Pinto Lome Revocable Trust u/a/d 5/22/03,

Defendants.

Adv. Pro. No. 10-04588 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court.

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I submit this declaration in support of the

accompanying notice and proposed order substituting Frejka PLLC for McClay•Alton, P.L.L.P.

as co-counsel for Amy Lome Revocable Trust u/a/d 5/22/03, Amy Pinto Lome and Leonard D. Lome (the “Defendants”) in the above-captioned adversary proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.

3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
December 6, 2016

By:           /s/ Elise S. Frejka            
Elise S. Frejka